

REMARKS

This is a full and timely response to the non-final Office Action (Paper No. 4) mailed by the U.S. Patent and Trademark Office on January 15, 2003. Claim 18 has been cancelled without prejudice, waiver, or disclaimer. Claims 1-17, and 19-21 have been amended. Applicants request entry of the amendments. The subject matter recited in amended independent claims 1, 8, and 15 can be found in the Applicants' specification on pages 8-11. Consequently, Applicants respectfully submit that no new matter has been added to the present application. Applicants further respectfully submit that the pending claims are allowable over the cited references for at least the reason that the cited references do not disclose, teach, or suggest at least the local application sharing logic of claims 1-7, providing a local application sharing logic configured as in claims 8-14, and means for pacing the transmission of said events to be shared as recited in claims 15-17 and 19-21. Reconsideration of the pending claims is respectfully requested, in view of the preceding amendments and the following remarks. Each rejection presented in the Office Action is discussed in the remarks that follow.

I. Response to 35 U.S.C. §102 Rejections – Claims 1, 8, 10, and 15

A. Statement of the Rejection

Claims 1, 8, 10, and 15 presently stand rejected under 35 U.S.C. §102(b) as allegedly being anticipated by Hao *et al.* (U.S. Patent Number 5,844,553, hereafter *Hao*).

B. Discussion of the Rejection

Applicants respectfully traverse the rejection of claims 1, 8, 10, and 15 under 35 U.S.C. §102(b) for at least the reason that the cited reference fails to disclose, teach, or suggest each element in the claims.

It is axiomatic that “[a]nticipation requires the disclosure in a single prior art reference of *each element* of the claim under consideration.” *W.L. Gore & Associates, Inc. v. Garlock, Inc.*, 721 F.2d 1540, 1554, 220 U.S.P.Q. 303, 313 (Fed. Cir. 1983) (*emphasis added*). Therefore, every claimed feature of the claimed invention must be represented in the applied reference (*i.e.*, *Hao*) to constitute a proper rejection under 35 U.S.C. §102(b).

Claim 1

For convenience of analysis, independent claim 1, as amended, is repeated below in its entirety.

1. A system for pacing the transmission of events associated with a local application that are shared with at least one corresponding remote application, the system comprising:
 - a local application sharing logic coupled to the local application, said local application sharing logic configured to:
 - receive events to be shared from said local application with the at least one corresponding remote application;
 - generate echo events;
 - transmit locally generated events including said echo events to said remote application; and
 - pace the transmission of locally generated events in accordance with an echo event receive time and a respective echo event transmit time.***

(Applicants' independent claim 1 - *emphasis added*.)

Applicants respectfully assert that the cited art of record fails to disclose, teach, or suggest at least the emphasized element of pending claim 1 as shown above. Consequently, claim 1 is allowable.

Specifically, the system disclosed in *Hao* fails to disclose, teach, or suggest Applicants' local application sharing logic configured to "***pace the transmission of locally generated events in accordance with an echo event receive time and a respective echo event transmit time.***" *Hao* apparently teaches a mechanism to enable collaborative updates to locally rendered application windows across a multiple workstation network. With regard to event processing, *Hao*'s Inter-Access Event Process (IEP) analyzes events from multiple applications and puts them in proper execution order. Optionally, the IEP can replicate the event stream or tailor it for some targets to allow for different key codes, colormaps, and the like. *Hao* column 6, lines, 37-40. Significantly, *Hao* fails to disclose, teach, or suggest using echo events to indicate to a local application sharing logic that a remote application is not keeping pace with input events forwarded from the local application sharing logic. Thus, the system apparently disclosed in *Hao* fails to disclose, teach, or suggest each element of

the Applicants' independent claim 1. Consequently, Applicants respectfully submit that claim 1 is allowable over *Hao* and request that the rejection of claim 1 be withdrawn.

Because independent claim 1 is allowable dependent claims 2-7 are also allowable. See *In re Fine*, 837 F.2d 1071 (Fed. Cir. 1988). Accordingly, Applicants respectfully request that the rejection of claims 2-7 also be withdrawn.

Claim 8

For convenience of analysis, independent claim 8, as amended, is repeated below in its entirety.

8. A method for pacing the transmission of events associated with a local application that are shared with at least one corresponding remote application, the method comprising the steps of:
 - transmitting said events to be shared from said local application; and
 - providing a local application sharing logic configured to receive said events to be shared, said local application sharing logic further configured to:
 - generate echo events;
 - controllably insert the echo events with said events to be shared; and
 - transmit said events to be shared and said echo events to a remote application.***

(Applicants' independent claim 8 - *emphasis added*.)

Applicants respectfully assert that the cited art of record fails to disclose, teach, or suggest at least the emphasized element of pending claim 8 as shown above. Consequently, claim 8 is allowable.

Specifically, the system disclosed in *Hao* fails to disclose, teach, or suggest Applicants' local application sharing logic configured to "***transmit said events to be shared and said echo events to a remote application.***" With regard to event processing, *Hao*'s IEP analyses events from multiple applications and puts them in proper execution order. Optionally, the IEP can replicate the event stream or tailor it for some targets to allow for different key codes, colormaps, and the like. *Hao* column 6, lines, 37-40. Significantly, *Hao* fails to disclose, teach, or suggest transmitting echo events to a remote application. Thus, *Hao* fails to disclose, teach, or suggest each element of the Applicants' independent claim 8. Consequently, Applicants respectfully

submit that claim 8 is allowable over *Hao* and request that the rejection of claim 8 be withdrawn.

Because independent claim 8 is allowable dependent claims 9-14 are also allowable. *See In re Fine, supra.* Accordingly, Applicants respectfully request that the rejection of claims 9-14 also be withdrawn.

Claim 15

For convenience of analysis, independent claim 15, as amended, is repeated below in its entirety.

15. A system for pacing the transmission of events associated with a local application that are shared with at least one corresponding remote application, said pacing system comprising:
means for transmitting said events to be shared from said local application;
means for generating echo events;
means for inserting said echo events along with said events to be shared; and
means for pacing the transmission of said events to be shared, said means for pacing responsive to an echo delay derived from said echo events.

(Applicants' independent claim 15 - *emphasis added.*)

Applicants respectfully assert that the cited art of record fails to disclose, teach, or suggest at least the emphasized element of pending claim 15 as shown above. Consequently, claim 15 is allowable.

Specifically, the system disclosed in *Hao* fails to disclose, teach, or suggest Applicants' claimed "***means for pacing the transmission of said events to be shared, said means for pacing responsive to an echo delay derived from said echo events.***" With regard to event processing, *Hao*'s IEP analyses events from multiple applications and puts them in proper execution order. Optionally, the IEP can replicate the event stream or tailor it for some targets to allow for different key codes, colormaps, and the like. *Hao* column 6, lines, 37-40. Significantly, *Hao* fails to disclose, teach, or suggest "***means for pacing the transmission of said events to be shared, said means for pacing responsive to an echo delay derived from said echo events.***" Thus, *Hao* fails to disclose, teach, or suggest each element of the Applicants' independent claim 15.

Consequently, Applicants respectfully submit that claim 15 is allowable over *Hao* and request that the rejection of claim 15 be withdrawn.

Because independent claim 15 is allowable dependent claims 16, 17, and 19-21 are also allowable. *See In re Fine, supra*. Accordingly, Applicants respectfully request that the rejection of claims 16, 17, and 19-21 also be withdrawn.

II. Response to 35 U.S.C. §103 Rejections - 2-7, 9-14, and 16-21

Claims 2, 9, and 16

A. Statement of the Rejection

Claims 2, 9, and 16 presently stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Hao* in view of Stumm (U.S. Patent No. 5,768,528, hereafter *Stumm*.) Applicants respectfully traverse the rejection.

B. Discussion of the Rejection

In order for a claim to be properly rejected under 35 U.S.C. §103, the combined teachings of the prior art references must suggest all features of the claimed invention to one of ordinary skill in the art. *See, e.g., In Re Dow Chemical*, 5 U.S.P.Q.2d 1529, 1531 (Fed. Cir. 1988), and *In re Keller*, 208 U.S.P.Q.2d 871, 881 (C.C.P.A. 1981).

For at least the reason that *Hao* fails to disclose, teach, or suggest Applicants' local application sharing logic configured to "***pace the transmission of locally generated events in accordance with an echo event receive time and a respective echo event transmit time***," as recited in claim 1 and because *Stumm* fails to remedy this failure, Applicants respectfully submit that the proposed combination of *Hao* and *Stumm* does not establish a *prima facie* case of obviousness with regard to Applicants' dependent claim 2.

Because independent claim 1 is allowable, dependent claim 2, which depends from claim 1, is allowable. *See In re Fine, supra*. Accordingly, Applicants respectfully request that the rejection of claim 2 be withdrawn.

For at least the reason that *Hao* fails to disclose, teach, or suggest Applicants' local application sharing logic configured to "***transmit said events to be shared and said echo events to a remote application***," as recited in claim 8 and because *Stumm*

fails to remedy this failure, Applicants respectfully submit that the proposed combination of *Hao* and *Stumm* does not establish a *prima facie* case of obviousness with regard to Applicants' dependent claim 9.

Because independent claim 8 is allowable, dependent claim 9, which depends from claim 8, is allowable. *See In re Fine, supra*. Accordingly, Applicants respectfully request that the rejection of claim 9 be withdrawn.

For at least the reason that *Hao* fails to disclose, teach, or suggest Applicants' "***means for pacing the transmission of said events to be shared, said means for pacing responsive to an echo delay derived from said echo events,***" as recited in claim 15 and because *Stumm* fails to remedy this failure, Applicants respectfully submit that the proposed combination of *Hao* and *Stumm* does not establish a *prima facie* case of obviousness with regard to Applicants' dependent claim 16.

Because independent claim 15 is allowable, dependent claim 16, which depends from claim 15, is allowable. *See In re Fine, supra*. Accordingly, Applicants respectfully request that the rejection of claim 16 be withdrawn.

Claims 11-14

A. Statement of the Rejection

Claims 11-14 presently stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Hao* in view of *Othmer* (U.S. Patent No. 6,167,358, hereafter *Othmer*.) Applicants respectfully traverse the rejection.

B. Discussion of the Rejection

For at least the reason that *Hao* fails to disclose, teach, or suggest Applicants' local application sharing logic configured to "***transmit said events to be shared and said echo events to a remote application,***" as recited in claim 8 and because *Othmer* fails to remedy this failure, Applicants respectfully submit that the proposed combination of *Hao* and *Othmer* does not establish a *prima facie* case of obviousness with regard to Applicants' dependent claims 11-14. Because independent claim 8 is allowable, dependent claims 11-14, which depend from claim 8, are allowable. *See In re Fine, supra*. Accordingly, Applicants respectfully request that the rejection of claims 11-14 be withdrawn.

Claims 3-7 and 17-21

A. Statement of the Rejection

Claims 3-7 and 17-21 presently stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Hao* in view of *Stumm*, in further view of *Othmer*. Applicants respectfully traverse the rejection of claims 3-7, 17, and 19-21.

B. Discussion of the Rejection

Applicants have cancelled claim 18 without prejudice, waiver, or disclaimer. Consequently, the rejection of claim 18 is rendered moot.

For at least the reason that *Hao* fails to disclose, teach, or suggest Applicants' local application sharing logic configured to "*pace the transmission of locally generated events in accordance with an echo event receive time and a respective echo event transmit time*," as recited in claim 1 and because *Stumm* and *Othmer* both fail to remedy this failure, Applicants respectfully submit that the proposed combination of *Hao* in view of *Stumm*, in further view of *Othmer*, does not establish a *prima facie* case of obviousness with regard to Applicants' dependent claims 3-7. Because independent claim 1 is allowable, dependent claims 3-7, which depends from claim 1, are allowable. *See In re Fine, supra*. Accordingly, Applicants respectfully request that the rejection of claims 3-7 be withdrawn.

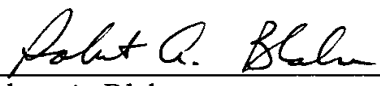
For at least the reason that *Hao* fails to disclose, teach, or suggest Applicants' claimed "*means for pacing the transmission of said events to be shared, said means for pacing responsive to an echo delay derived from said echo events*," as recited in claim 15 and because *Stumm* and *Othmer* both fail to remedy this failure, Applicants respectfully submit that the proposed combination of *Hao* in view of *Stumm*, in further view of *Othmer*, does not establish a *prima facie* case of obviousness with regard to Applicants' dependent claims 17 and 19-21. Because independent claim 15 is allowable, dependent claims 17 and 19-21, which depends from claim 15, are allowable. *See In re Fine, supra*. Accordingly, Applicants respectfully request that the rejection of claim 17 and 19-21 be withdrawn.

CONCLUSION

In summary, Applicants respectfully request that all outstanding claim rejections be withdrawn. Applicant respectfully submits that presently pending claims 1-17 and 19-21 are allowable over the cited art of reference and the present application is in condition for allowance. Accordingly, a Notice of Allowance is respectfully solicited. Should the Examiner have any comment regarding the Applicants' response or believe that a teleconference would expedite prosecution of the pending claims, Applicants request that the Examiner telephone Applicants' undersigned attorney.

Respectfully submitted,

**THOMAS, KAYDEN, HORSTEMEYER
& RISLEY, L.L.P.**

By: 
Robert A. Blaha
Registration No. 43,502
(770) 933-9500